

REMARKS

Claims 1-12 are all the claims pending in the application. Claims 1-6 have been rejected under 35 U.S.C. § 102(e), claims 10-12 have been rejected under 35 U.S.C. § 102(b), and claims 7-9 have been rejected under 35 U.S.C. § 103(a).

I. Formal Matters

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority.

II. Objection to the Drawings

Applicants have amended Figure 1 to designate the figure as "Related Art" as requested by the Examiner. A corrected drawing accompanies this Amendment. Accordingly, the Examiner's objection to Figure 1 should be withdrawn.

Applicants have amended Figure 11 to remove reference character 202. Accordingly, the Examiner's objection to Figure 11 should be withdrawn.

III. Objections to the Specification

Applicants have made changes to the specification to correct typographical errors. Further, Applicants note that these amendments have been made to merely clarify the specification and are not intended to narrow the original scope of the claims in any way. Applicants submit that these amendments overcome the grounds of objection. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this objection.

To the extent the Examiner's objection is based on the specification being "confusing", "awkward", and "replete with grammatically improper language", Applicants submit that the specification can be understood by one of ordinary skill in the relevant art. Accordingly, no revisions to the specification are necessary. Applicants respectfully request that the Examiner withdraw the objection to the specification.

IV. Objections to the Claims

The Examiner has objected to claims 1-8 and 10-12 based on several alleged informalities. As shown in the Listing of Claims, the Applicants have made amended claims 1, 3, and 10-12 to correct minor typographical and translation errors in response to the Examiner's objections. Applicants submit that these amendments are not intended to narrow the scope of the claims in any way. Applicants submit that these amendments overcome the grounds of objection. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this objection.

V. 35 U.S.C. § 102 Rejections

A. Claims 1-6

Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yusef *et al.*, U.S. Patent No. 6,520,622 ("Yusef").

Applicants submit that the Yusef reference can be antedated by perfecting the Applicants' claim to foreign priority based on Applicants' own priority document, JP 2001-53325. The U.S. filing date of the Yusef reference is October 19, 2001, which is after the Applicants' application's foreign priority date of February 28, 2001.

Accompanying this Amendment is a certified translation of Applicants' priority document, thereby perfecting a claim to priority under 35 U.S.C. § 119(a)-(d). Therefore, the rejection of claims 1-6 under 35 U.S.C. § 102(e) should be withdrawn.

B. Claims 10-12

Claims 10-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Murayama *et al.*, U.S. Patent No. 5,867,188 ("Murayama").

The Murayama reference fails to teach each element of claim 10. For example, Murayama does not disclose the first guide plate of claim 10. The Examiner's reliance on guide shaft 12 to provide the required first guide plate is misplaced. Murayama discloses a round (in section) guide shaft. See col. 6, line 66; Fig. 5. The Murayama reference itself clearly distinguishes between a guide plate and a guide shaft. At lines 66-67 of column 6, Murayama describes guide shaft 12, which is round in section as shown in Fig. 5, and guide plate 13, which is rectangular in section as shown in Fig. 5. Thus, Murayama does not disclose the first guide plate of claim 10. As guide shaft 12 of Murayama is insufficient to establish the guide plate of claim 10, the Examiner's rejection under 35 U.S.C. § 102(b) should be withdrawn.

As claims 11 and 12 both depend on claim 10, claims 11-12 are patentable at least by their dependency on claim 10.

VI. 35 U.S.C. § 103 Rejections

A. Claims 7-8

Claims 7-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yusef in view of Murayama. As discussed above, Applicants have antedated the Yusef reference by

perfecting their claim to foreign priority. As the Murayama reference alone does not teach or suggest each element of claims 7-8, the Examiner's rejection of claims 7-8 under 35 U.S.C. § 103(a) as being unpatentable over Yusef in view of Murayama should be withdrawn.

B. Claim 9

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,195,836 to Longust *et al.* ("Longust") in view of U.S. Patent No. 6,109,726 to Lee ("Lee").

Applicants submit that claim 9 is patentable over the cited combination of Longust and Lee. For example, claim 9 recites a second frame, including first positioning members, which define positions of the supporting legs in the first direction. The Examiner asserts that Longust provides a second frame 50, including first positioning members 32 which define positions of the supporting legs 20 in the first direction. However, the fasteners 32 of Longust serve to attach the X yoke 30 to beam 10. See Longust, col. 4, lines 30-33. The fasteners 32 of Longust do not serve as first positioning members to define the positions of supporting legs 20 in the first direction as required by claim 9.

The Lee reference does not teach or suggest a second frame, including first positioning members, which define positions of the supporting legs in the first direction. Therefore, Lee does not cure the deficient teachings of Longust.

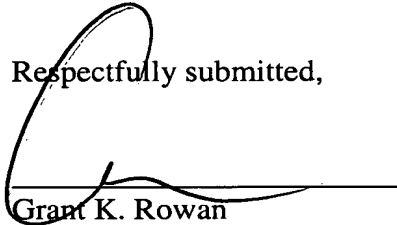
For at least these reasons, Applicants submit that Longust in combination with Lee, fails to teach or suggest each and every feature of the claimed invention, as set forth in claim 9. Therefore, Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 9, and hereby request the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of claim 9.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Grant K. Rowan
Registration No. 41,278

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 22, 2003